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10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 IN RE: VOLKSWAGEN "CLEAN DIESEL"
14 MARKETING, SALES PRACTICES, AND
15 PRODUCTS LIABILITY LITIGATION

16 THIS DOCUMENT RELATES TO:

17 *United States of America v. Volkswagen AG, et al.*,
18 Case No. 3:16-cv-00295

MDL 2672
Case No. 3:15-MD-02672-CRB

The Honorable Charles R. Breyer

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO RESPOND
TO THE PORSCHE DEFENDANTS'
PARTIAL MOTION TO DISMISS**

1 WHEREAS, on February 25, 2016, the Court entered Pre-Trial Order No. 9 (Docket No.
2 1252), which, in Paragraph 3(A), required Defendants Volkswagen AG, Volkswagen Group of
3 America, Inc., Volkswagen Group of America Chattanooga Operations, LLC, Audi AG, Dr. Ing. h.c.
4 F. Porsche AG, and Porsche Cars North America, Inc. to answer, move to dismiss or otherwise
5 respond to the United States' January 4, 2016 complaint (the "Complaint") by April 15, 2016;

6 WHEREAS, on April 8, 2016, following stipulation and agreement among the parties, the
7 Court continued until May 16, 2016 the deadline for the defendants to answer, move to dismiss or
8 otherwise respond to the Complaint;

9 WHEREAS, on May 16, 2016, Defendants Dr. Ing. h.c. F. Porsche AG and Porsche Cars
10 North America, Inc. (the "Porsche Defendants") filed a motion to dismiss Count 3 of the Complaint;

11 WHEREAS, the United States' response to the Porsche Defendants' motion is currently due
12 on May 31, 2016;

13 WHEREAS, the Porsche Defendants and the United States have agreed to an extension of 20
14 days for the United States to respond to the Porsche Defendants' motion to dismiss;

15 WHEREAS, the parties have not previously requested an extension of this deadline;

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
17 United States and the Porsche Defendants, that the deadline for the United States to respond to the
18 Porsche Defendants' motion to dismiss Count 3 should be continued until June 20, 2016.

19 Respectfully submitted,

20 DATED: May 26, 2016

ALSTON & BIRD LLP

21 By: /s/ Cari K. Dawson
22 Cari K. Dawson

23 *Liaison Counsel for the Porsche Defendants*

24 DATED: May 26, 2016

UNITED STATES OF AMERICA

25 By: /s/ Joshua H. Van Eaton
26 Joshua H. Van Eaton

27 *Counsel for the United States*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 27, 2016.



CHARLES R. BREYER
United States District Judge